



AF/1761. \$

**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
P23,090-B USA

In Re Application Of: **Bruce K. Redding, Jr. and Jerome Harden**

Serial No.
09/360,262

Filing Date
July 26, 1999

Examiner
D. Becker

Group Art Unit
1761

Title: **PROCESS AND APPARATUS FOR PRODUCING DIETARY FIBER PRODUCTS**

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

Transmitted herewith is:

Notice of Appeal from the Primary Examiner to the Board of Appeals and Interferences

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of **\$620.00** is attached.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **19-5425** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

RECEIVED
APR 19 2002
TC 1700



Signature

Dated: **April 9, 2002**

**Marc B. Bassler, Reg. No. 48,732
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Philadelphia, PA 19107-2950**

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I certify that this document and fee is being deposited on **April 9, 2002** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.


Signature of Person Mailing Correspondence

Rita C. Clancy

Typed or Printed Name of Person Mailing Correspondence

CC:



LAW OFFICES OF
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Bruce K. Redding, Jr. and Jerome Harden**

Application No.: **09/360,262**

Examiner: **D. Becker**

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Group Art Unit: **1761**

Title: **PROCESS AND APPARATUS FOR PRODUCING DIETARY FIBER PRODUCTS**

Attorney Docket No. **P23,090-B USA**

* * * * *

CERTIFICATE OF MAILING

I hereby certify that this correspondence, along with any papers indicated as being enclosed, are being deposited as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on April 9, 2002.

April 9, 2002
Date

Rita C. Clancy
Rita C. Clancy

Commissioner for Patents
Washington, D.C. 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS AND INTERFERENCES

Sir:

Applicants hereby appeal to the Board of Appeals from the Decision of the Primary Examiner mailed February 25, 2002 finally rejecting claims 1-13 and 15-18 of the above-referenced patent application.

04/18/2002 GTEFFERA 00000116 09360262

01 FC:217
02 FC:219

460.00 OP
160.00 OP

Art Unit 1761
Application No. 09/360,262

April 9, 2002

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of:

☐ other than a small entity

☒ small entity

☐ attached

☒ A small entity statement was filed in the prior

nonprovisional application, U.S. Application No.

08/988,758 filed on December 11, 1997, and such status is
still proper and desired.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(e) the fee for filing the Notice of Appeal is:

☒ small entity \$160.00

☐ other than a small entity \$320.00

Notice of Appeal fee due \$ 160.00

3. EXTENSION OF TIME

(complete (a) or (b) as applicable)

The proceedings herein are for patent application and the provisions of
37 C.F.R. § 1.136 apply.

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- (a) ☒ Applicants petition for an extension of time under 37 C.F.R. § 1.136, from **January 19, 2002** to **April 19, 2002**. Accordingly, a three-month extension fee (small entity) of \$460.00 is due.

If an additional extension of time is required, applicants request respectfully that this be considered a petition therefor.

Extension fee due (small entity)	<u>\$460.00</u>
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OR

- (b) ☐ Applicants believe that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal Fee	\$ <u>160.00</u>
Extension fee (if any)	\$ <u>460.00</u>

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TOTAL FEE DUE \$ 620.00

5. FEE PAYMENT

[XX] Attached is check no. 40870 in the amount of \$620.00.

[] Charge Deposit Account No. 19-5425 the amount of \$_____. A
duplicate of this transmittal is attached.

6. FEE DEFICIENCY

[XX] If any additional extension and/or fee is required, charge Deposit
Account No. 19-5425.

Respectfully submitted,

SYNNESTVEDT & LECHNER LLP



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